

REPORT OF THE COMMISSIONERS

ON THE

CORRECT ARMS

OF THE

STATE OF NEW YORK.

WITH APPENDIX:

Letter of H. A. HOMES to the Commissioners.

---

TRANSMITTED TO THE SENATE APRIL 13, 1881.

---

ALBANY:  
WEED, PARSONS AND COMPANY.  
1881.

AVERY ARCHITECTURAL AND FINE ARTS LIBRARY

GIFT OF SEYMOUR B. DURST OLD YORK LIBRARY

## Ex Libris

SEYMOUR DURST

*t' Fort nieuw Amsterdam op de Manhatans*



FORT NEW AMSTERDAM



(NEW YORK), 1651.

When you leave, please leave this book  
Because it has been said  
"Ever'thing comes t' him who waits  
Except a loaned book."

042 7172 BOX 110

REPORT OF THE COMMISSIONERS  
ON THE  
CORRECT ARMS  
OF THE  
STATE OF NEW YORK.

---

TRANSMITTED TO THE SENATE APRIL 13, 1881.

---

ALBANY:  
WEED, PARSONS AND COMPANY, PRINTERS.  
1881.



## LIST OF PLATES.

---

1. *Fac simile* of the Arms of New York on a military commission of 1778.
2. Copy of painting of the Arms of New York from a flag of a New York regiment of 1778.
3. Copy of the painting of the Arms of New York suspended over Governor Clinton's pew in St. Paul's Chapel, New York city, in 1785.
4. Arms of the State of New York as restored by the commissioners from the above three specimens and from the original Great Seal of the State, May, 1881.



# STATE OF NEW YORK.

---

No. 61.

---

## IN SENATE

APRIL 13, 1881.

---

### REPORT OF THE COMMISSIONERS ON THE CORRECT ARMS OF THE STATE OF NEW YORK.

STATE OF NEW YORK:

EXECUTIVE CHAMBER,  
ALBANY, *March 31, 1881.* }

*To the Senate:*

The report of the Governor, Secretary of State and Comptroller, on the correct Arms of the State of New York, under resolutions of the Senate of May 21, 1880, is herewith respectfully transmitted.

ALONZO B. CORNELL.



Digitized by the Internet Archive  
in 2013



## REPORT.

---

Under the following resolutions of the Senate at the last session of the Legislature, the undersigned were appointed commissioners to report an exact description of the arms of the State of New York as established by law; and also to recommend measures for maintaining the use of the arms with correctness:

“STATE OF NEW YORK, IN SENATE, }  
ALBANY, *May* 21, 1880. }

“WHEREAS, In view of the variations in the current representations of the State arms, and of the uncertainty in respect to the correct device thereof as adopted by law, March 16, 1778, the State has recently made two special appropriations of money to obtain early copies of this device, which are now in the State library, with an engraving of the arms executed within three months of the passage of said law; and,

“WHEREAS, It is important to bring these efforts to a practical conclusion; therefore,

“*Resolved*, That the Governor, the Secretary of State and the Comptroller be, and they are hereby appointed commissioners to ascertain and report to the next Legislature an exact description of the device of arms so established by law, as obtained by a comparison of these or other early copies of the said arms.

“*Resolved*, That the said commissioners also report such measures as shall tend to perpetuate a knowledge of the correct arms, and as to the propriety of extending the use thereof in the public offices, and in the community without alteration; and as to the expediency of placing the arms upon the great seal of the State and the seals of the departments, and of all such offices as issue papers with the authority of an official seal, as the appropriate symbol of the authority of the State.”

The section of the statute of March 16, 1778, relating to the arms referred to in the preamble to these resolutions, is as follows:

“And, whereas, arms have been devised for this State, and two several seals have been devised and made, one of the said seals as and for the great seal, and the other as and for the privy seal of this State (and which said seals are now in the custody and possession of his excellency the present Governor):

“Be it therefore further enacted, by the authority aforesaid, that

the said arms and seals shall severally be, and they are hereby respectively declared to be the arms, the great seal and the privy seal of this State."

It is subsequently added in the same section, that such matters as were issued under the seal at arms of the Governor of the colony shall issue under the new seal. A clause in section 5 of the same general law requires the person administering the government, to "deliver to the Secretary of the State descriptions of the device of the said arms and seals, hereby declared to be the arms, the great seal and the privy seal." These clauses here cited are all of those in the law wherein the arms of the State are named.

Laws passed in the years 1786, 1798, 1801, 1809, 1813, and the embodiments of them in the Revised Statutes which make mention of the arms or seals, with one exception, all refer to a "description in writing of the arms and of the great and privy seal of this State recorded and deposited in the office of the Secretary of this State."

This emphatic declaration, that there is deposited and recorded in the office of the Secretary of State a description of the arms of the State, has been repeated many times in successive laws, and the last time was in a law regarding the great seal of the State, enacted by the Legislature of 1830. In view of this reiteration of an alleged fact, searches have been repeatedly made in the Secretary of State's office, during the last thirty years, to discover such a description of the arms, but nothing has been found in anywise responding to one, except a very brief memorandum describing the "new great seal" of 1809, in words entirely insufficient to construct therefrom an achievement of the complete arms of the State. Nor has any printed description of the arms been discovered in documents published by the State or elsewhere. There is no evidence in the laws referred to, nor in any other laws of the State, that the arms have been changed by statute.

It is evident, therefore, that the commissioners, acting in accordance with the requirements of these resolutions, cannot expect to obtain a description of the arms from any of the public offices at the capital; and that their dependence must be upon the three early representations of the arms which have been brought into notice with the National Centennial of 1876, and which are referred to in these same resolutions; and such corroboration of them as may be afforded by subsequent pictures to be found in early editions of the laws, and in the journals of the Legislature.

These being the facts regarding the arms, we are requested to report an exact description of the device of arms established in 1778, and to recommend measures tending to perpetuate their use correctly.

The commissioners are glad to find that, notwithstanding the recognized absence of a written description of the arms, the want is in all probability supplied with a sufficient degree for exactness by these three representations of them just mentioned, each one of which possesses some measure of official authority. They are :

*First.* Engraved military commissions issued by the State in 1778.

*Second.* The flag of the New York regiment of Col. Gansevoort of 1778 or 1779.

*Third.* The painting suspended over the pew of Gov. George Clinton in St. Paul's Chapel, New York, in 1785.

The third of these specimens, previous to the Centennial of 1876, was supposed to be the earliest example in existence of the original State arms. When, a year or two later, the military commission and the New York flag of the Revolution were brought to light, each having an independent history, and when public attention had been directed to their character, considerable time elapsed before they were viewed in their true relations, and before their pre-eminent value as witnesses regarding the true arms was acknowledged. Gradually an increasing value has been accorded to them, which they might not have received if endeavors were not being made to establish the true arms. We are now convinced that the original State arms can be reconstructed or reaffirmed with the help of these three examples, with no important variations from the device of March 16, 1778.

The *first* of these specimens, the arms as engraved upon military commissions, must have been engraved at Poughkeepsie immediately upon the passage of the law, as some of the existing copies were issued as early as June, three months after its adoption. Attention was first called to this specimen by Mr. Edward F. De Lancey, now president of the St. Nicholas Society of New York city. It may well be mentioned here that Mr. De Lancey also appeared before the commissioners and made statements regarding his knowledge of the subject. It was supposed at the time by the gentleman, Rev. J. H. Frasee, who brought it to him, that it might be unique. During the past year, however, upon untying files of papers in the office of the Secretary of State, a considerable number of such military commissions, perfect in every particular, have been discovered. Other copies have been given to the State Library by citizens, and are also known to be in the possession of individuals, thus establishing clearly the fact, which had been doubted by some persons, that this engraved commission was in common use.

Nor was the use of it limited to the military department. It was used also on civil commissions. Among the papers on file in the record office of the Secretary of State, there is an engraved heading of a civil commission with the arms, identical with the heading of the military commission, printed upon parchment, recorded August 17, 1778, being a commission to General Philip Schuyler to be a delegate from New York to the Continental Congress, thus establishing the fact that this was the received drawing of the arms for use in the civil service of the government. The arms were engraved inside of the initial letter T, the first letter of the first word of the commission: "The People of the State of New York."

The origin of this picture, so far as known, and briefly told, is as

follows: In the Provincial Congress, April 15, 1777, Messrs. John Jay, Lewis Morris and John Sloss Hobart were appointed a committee to prepare a proper device for a great seal for the State. On September 10 of the same year, Gov. Clinton and Chancellor Livingston were appointed to attend to the same duty, and to order a seal to be made; and it was voted that in the meantime the seal of the Governor be the great seal of the State. It appears by the journal of this Congress, December 31, 1777, that the seal was actually finished in that year. It was this seal which served as a basis for the "arms complete" which were adopted in the law of March 16, 1778. This law, employing the word *arms* for the first time in connection with the seals, announces that both arms and seal have been already prepared. There is no record, so far as is known, showing what was the measure of co-operation of any one of these five men, Jay, Morris, Hobart, Clinton and Livingston, in producing the device of arms as we this day find it, and with which their honored names will be forever associated. But we see that the shield of the arms, as adopted in March, is nearly identical with the seal accepted three months previous, in December. Hence, the representation of the arms engraved on the military commission under the eyes of Gov. Clinton, and issued by his authority as chief executive of the State, in consideration of its precedence in time of both the other pictures, acquires a high degree of weight as a witness as to what were the original arms.

The *second* specimen, the Flag of the Third New York Regiment, was borne by that regiment, when commanded by Col. Peter Gansevoort, Jr., of Albany, during the Revolutionary war. This flag is reported to have been given to this regiment in consequence of its having made a successful sortie from Fort Stanwix in 1777, provided with a very rude, extemporized flag. It is still carefully preserved in the family of his direct descendant, Mrs. Abraham Lansing, of Albany, and a copy of it has been made in oil colors by her consent, and may be seen in the State Library. The appropriation made by the State in 1879 for this painting was for a copy of the flag "borne at the surrender of Yorktown in 1781." Some doubt has been thrown upon this assumption, yet the evidence which has been adduced to show that the flag *existed* at a still earlier date, enhances its value as a witness to the original arms, just in proportion as the date when it was painted approaches the year 1778. The arms are carefully and finely painted upon both sides of the silk, which is of dark blue, and about seven feet square. The arms complete cover a space upon its surface about four feet and four inches wide by three feet five inches high; the two supporters are each two feet and two and a half inches high.

The *third and last* specimen is the painting suspended in St. Paul's chapel in New York city in 1785. This picture of the arms was painted in colors upon canvas and measures sixty-seven by forty-five inches. It is suspended against the wall of the chapel to this day. When it became necessary, under the law of the State of



1875, to prepare a suitable representation of the arms to be suspended at the Centennial of 1876 with the arms of the thirteen original States, in Independence Hall in Philadelphia, no earlier picture of the arms was known which could aid in the undertaking. This St. Paul's chapel picture differs in several particulars from the first two specimens. The painter indulged his fancy by surrounding the shield with garlands of flowers and large and small fruits, introducing at the base sheaves of grain. Within the shield he painted only a calm sea and a brilliant sun, giving neither the three mountains nor the land at the base of the shield. Representations of the New York arms, based upon that picture alone, cannot be regarded as complete, nor exact. In constructing a device of the arms under the law of 1875, this picture and vignettes placed by the printers on the title pages of the edition of the laws of 1787, and of the journal of the Senate of 1792 served as guides, and copies so drawn were placed in Independence Hall and in the State Library. We are aware that it has been claimed that the greater simplicity of the shield of this picture, containing solely the sea and the sun, constitutes of itself a conclusive argument that it approaches nearest to the original device. In the presence, however, of these two earlier specimens, and with the evidence of the positive official use of both of them, we cannot concede the claim to be well founded.

We have had before us these three specimens, the military commission, a copy of the flag, and an exact copy of the St. Paul's chapel painting, which we secured to be especially painted for the State Library. On comparing them together, each one of them is discovered to possess traits not to be found in both of the others; but the differences between them are as nothing when compared with the sum of the resemblances. We are unable to account for these divergences, otherwise than in the fancy or convenience of the artist. We are disposed to recommend the second specimen, the regimental flag, as most worthy of preference as a basis for the arms, for the reason that while it is of an unquestioned early date, it has more of beauty and grace than the commission, and at the same time conveys information regarding the colors employed on the shield, supporters and crest, which the engraver of the first specimen did not give, either on account of his carelessness or of his ignorance of the heraldic method of indicating color by dots and lines. He multiplied slightly other variations, being trammelled in his work from the necessity of adapting his picture to the limitations within which he must design it inside of the initial letter T.

The chapel painting is of a date at least eight years later than the first specimen, and although it might be inferred that it would be an all-sufficient witness as to what were the genuine arms, from the fact that it was suspended over the pew of Governor Clinton, yet it loses much of its authority on the other hand from the fact that it omits the three mountains, which were upon the other two and earlier specimens of the arms, and also upon the great seal of

1778 and all subsequent seals. That the artist who painted it indulged freely in his own ideas of beauty, we have previously shown when describing his mode of decorating the shield with ornaments not found upon either of the other specimens. But still further, he placed under the crown, at the foot of Liberty, both a sword and a sceptre, whereas, each of the other specimens has the crown alone at the foot of Liberty.

From the three sketches of these three representations of the arms, which accompany this report, it will be seen that both the regimental flag and the chapel painting differ from the military commission in that they extend the water to the base of the shield, and that the commission has a fringe of meadow-land at the base. Hence, if nothing were to be retained in the arms, except that which has the testimony of two of these drawings in its favor, the meadow or fringe of land, which may indicate the Hudson river, would, perhaps, have to disappear as an invention of the engraver and without authority. Fortunately, at this juncture, and since our appointment as commissioners, there have been exhibited to us numerous specimens of the great seal of the State impressed upon wax, and attached to deeds and other papers from the years 1778 to 1798, which have impressed upon them this fringe of meadow-land at the base of the shield. This conclusively shows that the great seal, which was the original and prototype of the shield of the arms, was closely imitated by the engraver of the military commission. The seal had been made under the authority of a resolution of the Provincial Congress of September 10, 1777, and we have in it a second and most authoritative witness to the existence of land at the base of the shield. Engravers, who have assumed in past years to make *fac-similes* of the seal of 1778, have overlooked this significant trait of the seal which they were copying. The seal, though it did not include the arms complete, yet gave the sun, the mountains, the river and its banks. This double testimony makes the evidence so strong that it cannot be mistrusted, and renders it unavoidable that the river bank should be maintained in the standard New York arms.

The word "America," painted upon the demi-globe of the chapel painting, we have not retained; but we have preserved the outlines of the west coast of Europe and of the east coast of the New World, which are upon the first two specimens.

The eagle forms a part of the crest of all three of these pictures; we maintain it in position as found upon the two earliest specimens, standing upon the globe with the head directed to the dexter of the shield. We have no misgivings in maintaining the eagle as an essential part of the insignia of this State; we have, indeed, a marked satisfaction in so doing, because that New York was the first of all the States to give this prominence, by statute, to what is now become our National symbol, and she has, therefore, rights in it of which she may well be proud. Pennsylvania did not adopt the eagle as her crest before the year 1792, nor then by any known statute. Maryland, while she assumed the eagle about the year



1840, as her crest, without law, and retained it for a few decades, definitely abandoned it in 1873. And it was not adopted as a symbol by the United States before the year 1782.

The royal crown overturned, resting upon the scroll at the foot of Liberty, is found upon all three of these earliest representations of the arms. The sword and scepter, under the overturned crown, are found only upon one of the paintings, and that the more fanciful one of latest date. These last we have rejected; but we have not presumed to efface the crown from the arms, although it has disappeared, without any apparent authority, from all subsequent engravings of them. It has been said, as a reason to justify allowing the crown to disappear, that the shield alone constitutes the essential arms in heraldry, and that this crown is mere ornamentation. If the rigid enforcement of the principles of heraldry of families to the symbols of our States were defensible, the argument here presented covers too much ground and would justify sweeping away Liberty, Justice and the Eagle; and without these the great emblem of New York would be shorn of much of its character. At all events, the specific sign, by which the revered founders of the State, assembled in convention in the crisis of the Revolution, impressed upon the arms their determination to sustain a Republican government, should always be cherished by us their successors.

We did not adopt, as a strict and arbitrary rule, that nothing should retain a place upon the arms which failed to have the testimony of two of these representations, for we conceived that each picture could not be rated as of equal authority. Practically we do not propose to retain any thing of importance unless it has the testimony of two witnesses, except the sloop and the ship once so frequently seen upon the Hudson river. The fact that they are found upon the earliest specimen is a strong argument in their favor. The engraver put them there because they were found upon the device as it was laid before him, and his art enabled him to represent the vessels with effect, because they would be seen near at hand; whereas if they had been carved to be impressed upon the wax seal, or painted upon the flag, they would hardly have been perceptible to the eye. In view of these reasons, and of the peculiar significance of the two ships, as symbolic of the marvelous water communication westward through the chasm of the mountains, we decided that we ought to retain them.

Some have recommended that the present would be a suitable occasion to introduce some modification of the motto of the arms, the word "Excelsior"; that some form of the word should be adopted more consonant, they allege, with correct Latinity. We are of the opinion that the motto, just as it stands, has been so long sanctioned in the history of the State, both in prose and poetry, in the minds of all men, that no change should be made in it. It impresses upon the mind the sentiment, of a State of abundant resources, progressive enterprise and noble aspirations.

In conformity to the resolutions under which we are acting, and

to the principles of the explanations which we have just made, we proceed to give a description of the arms in popular language, free from scientific technicalities, and sufficiently exact for the arms to be constructed from it.

#### ARMS OF THE STATE OF NEW YORK.

*Shield.*—At the base of the shield, there is a shore of land like a meadow fringed with shrubbery; beyond, there is an expanse of water like a river, smooth and calm. Upon the water a ship and sloop are seen advancing toward each other. Beyond the water three mountains appear, the central one of which is the most elevated. Behind and above the mountains, seven-eighths of the body of the sun is seen, like a human face, with a great effulgence of golden rays. A blue sky reaches to the top of the shield.

*Crest.*—An eagle, with its head and the front of its body turned to the right of the shield, stands upon a two-thirds of a globe, with parallels of latitude and lines of longitude; the western coast of Europe and the eastern coast of the New World are outlined upon it. The globe rests upon the usual wreath of blue and gold.

*Supporters.*—The figure of Liberty stands upon the right of the shield and is completely dressed in a robe of gold, reaching to the ankles, with no belt, but lapels to the waist, and a mantle of crimson falling from the shoulders behind, and appearing in front on her right as low down as the bottom of the robe. The feet have sandals upon them, laced with red bands. The face and neck, the hands and forearm only are nude. Close to her left foot, and upon the scroll on which she stands, there is a royal crown which is overturned.

In her right hand, which hangs by her side, she holds upright a staff, one end of which rests upon the scroll, and the other end extending above her head, supports a liberty-cap of neutral tint upon it, and her left hand supports the shield with firmness and vigilance.

On the left of the shield stands the figure of justice, with a robe and mantle similar in shape and color to those worn by Liberty. The mantle is extended behind to the left in much the same manner. In her left hand at the level of her waist, she holds an even balance, which hangs away from the left of her body. In her right hand she holds a naked sword, with the point upward, but her arm down, the elbow only touching the shield. Her eyes are blindfolded with a white band of cloth, but she seems intently listening to reach the truth. The face, neck, hands and forearm only are exposed. Her feet have sandals, laced with red bands.

*Motto.*—The word "Excelsior" painted upon a white scroll beneath the shield, upon the extended ends of which stand the supporters Liberty and Justice.

The preceding description, which we accompany with a painted representation of the arms, which has been made in general in



accordance with it, embodies the conclusions which we have reached as to what may be declared to be, with a fair measure of exactness, the true arms of the State of New York, as originally adopted in 1778, so far as can be determined from these three early pictures, and from the first great seal of the State of 1777.

It is proper to add in this place, that we do not see any ground for supposing that the arms were changed or modified by any of the laws respecting the seals, which were enacted in the years we have before referred to. The only chance for raising the question is in connection with the law of 1798. That law provided for a commission of three public officers to repair or cause to be made a new great seal, after such device as the commission shall judge proper, but it makes no allusion to the arms of the State. It simply requires that a written description of the seal shall be preserved in the Secretary of State's office. This commission, however, in making a new seal, records the description of it in 1799 in these words: "The arms of the State complete, with supporters, crest, and motto around the same: 'The great seal of the State of New York.'" They then describe the reverse. They do not pretend to have devised a new arms, and while they did not closely follow the old law, they do not appear by the terms of the law to have had any authority to introduce the changes which were made by the artist. There was no more authority for making those changes than there would be for making changes in the new great seal ordered to be made by the Secretary of State under the law of 1880.

We are now brought to the consideration of the second question connected with the duty assigned to the commissioners in the resolutions, which is, "to report such measures as shall tend to perpetuate a knowledge of the correct arms, and as to the propriety of extending the use of them in the public offices and in the community without alteration; and as to the expediency of placing the arms upon the great seal of the State and upon the seals of the departments, and of all such public offices as issue papers with the authority of an official seal as the appropriate symbol of the authority of the State."

The commissioners see nothing to prevent the State from relapsing into the same neglect of her own insignia in the future as in the past, unless an authentic standard arms having been carefully set forth, they are protected from change and alteration by law. Certainly as it is one of the most important uses of the arms adopted by each State, that they should be engraved upon the seals of the State, it is equally important that they should be engraved correctly upon the seals, and that they should be accurately maintained in the succession of years, and that no changes should be introduced on the authority of a single public officer, or of any person other than those who may have been authorized by law to effect such a change.

We will not enter into minute details of the alterations which have from time to time been made; we will simply mention some of the more noticeable changes. In more than a dozen pictures of the

arms of the State which we have had before us, not counting among them any others than those which have been in use with some measure of State authority, nor those which have only slight alterations, but only those alterations affecting fundamental features of the arms, we find that there have been in use representations of them where the shield contained the stripes of the Union instead of the mountains and river; where Justice and Liberty have given place to Science and Art as supporters; where the supporters have been the one seated and the other standing, or where both have been seated, or both have been discarded; where Justice has been robbed of the band over the eyes and of the balance. The eagle has been discharged from service on another, and some dispensed with the motto "Excelsior," and the royal crown has been removed from the foot of Liberty in all. These statements are correct, both as regards the arms when used for mere ornamentation and in publications issued under the authority of the State, and as regards the seals and emblems used in the public offices.

While speaking of these cases of departure from the correct arms, we deem it necessary to add, that having been informed from Washington that the representation of the arms upon the block of black marble, which had been contributed by the State in 1851 to the National Washington Monument, to be placed in it with similar blocks from other States, did not contain a correct picture of the arms, according to either one of these three earliest specimens, we obtained copies of the sculpture upon that stone. Finding the divergence to be great, we addressed the president of the association, who is the President of the United States, requesting delay in placing the stone in the monument, upon which work has recently been recommenced, until the wish of the State upon the subject should be expressed. With this desire compliance was promptly promised in a written communication.

In our remarks upon these alterations we have neglected to notice small variations, although they may not be regarded as of minor importance by many persons. It is also but just to observe that the departures from the legal arms appear to have reached their extreme about the year 1850, since which time there have repeatedly been steps taken in the direction of reform, and as many retrograde movements to the old neglect. The military department of the State has continued foremost in these efforts at conformity with the true arms, as regards the regimental flag.

We have hitherto been speaking of altered arms, where those using them were unconscious that they were doing so, or where the use of some portion of the arms only was supposed to be sufficient. But a custom has grown up, which has the sanction of law in many cases, that some of the State departments and other offices do not use the State arms at all. Instead thereof in many of these offices at the Capitol and elsewhere, the devices which are engraved on their seals, letter-heads and envelopes retain either no part of the arms of the State, or only the motto "Excelsior," and some of them do not retain

even that. The device on the seal of each department differs from that of almost every other one. The State of New York has herein countenanced a usage which has not its parallel to the same extent in any of the States of the Union, and has allowed herself to be misrepresented in her State symbol, more than any of the States of the Union have done as regards their own. These devices, when attached to documents issued by these departments, do not suggest to any one familiar with the arms of the State, either with the correct arms or altered ones, that the document is issued by the authority of the State of New York, by any other token than the legend surrounding the same, containing the name of the office or department. In contrast with our usage, at least sixteen of the States and probably many more have arms and seals whereof the devices for each are identical, except that each seal bears, in addition to the arms, the name of the department employing the seal.

The commissioners have received letters from the Secretaries of State of Connecticut, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Pennsylvania, Rhode Island and Vermont, in answer to communications addressed to them regarding their own usages in this respect. The responses in many cases brought full sets of all the devices in use as arms or seals, or on letter-heads, making quite a voluminous collection. So far as we have observed, these engraved State insignia are composed invariably of a center containing the State arms, accompanied with words containing the name of the State, and of the particular department using them, either over, under or around the picture.

From the first origin of the successive States of the Union, a most prominent motive for establishing the arms or symbol of each State has been to be in possession of a device for the seals of the State. Indeed, the State law which requires that a State seal shall be made frequently makes no mention of the arms of the State, nor will the arms be mentioned in any other law. But the consequence is that by common consent the device on the seal becomes the State arms. The laws of some of the States which have been enacted of late years, especially those which have suffered by painful experiences from the abuses which have flowed from the absence of clear laws regarding the arms, specifically require that the arms of the State shall be the device to be engraved upon all the seals of the State.

For the first example, we cite the State of Arkansas, which enacted, as late as 1864, a law prompted by similar disagreeable experiences, as follows: "All official seals used in this State shall present the impressions, emblems and devices presented by the great seal of the State, except the surrounding words, which shall be such as to indicate the office to which they may severally belong."

For a second example, we adduce a law of Ohio, adopted in 1868, and enacted from the same motives. In the first section, it describes in detail what is the device of the State arms. In the second section, it is provided that the great seal shall have the same device



which has been described in the preceding section. The same section then proceeds to mention by name all the courts of the State and all the departments, with the legend to be engraved upon the seal of each one, and closes in these words: "All the seals . . . shall contain the words and devices mentioned in this act and no other."

We see from these extracts from the laws of sister States, that New York is not the only State suffering from abusive practices in alterations of the State arms, although she may be among the last in applying a remedy. Connecticut, Pennsylvania, Rhode Island and Vermont have also been obliged in late years to legislate for the purpose of re-establishing their legitimate State arms, and maintaining them intact by appropriate laws. Maryland is engaged in the matter in her Legislature this very year.

After this statement of the trying experiences of other States, and having in view the facts which we have mentioned regarding alterations of the New York State arms, we think that together they sufficiently demonstrate the necessity of some action by the State to remedy these irregularities and inconsistencies, and to render such departures from, and disregard of the genuine arms of the State impossible; and also, that our laws should require a similar uniformity in their use on the seals of the public offices at the Capitol, of the courts and elsewhere. We will only add in justification of the recommendations which we make, that it is not an exhibition of suitable respect to the State, that each of its departments should symbolize or represent itself by a distinct and different device, and ignore and omit to employ the very device by which the State has chosen to set forth its sovereignty. The dignity of each department and board, and of the courts is derived from the State, and no one of them can devise any emblem for use, which can surpass in value and significance that of the State which they represent.

For the accomplishment of the ends proposed by the resolutions appointing us commissioners, which are the adoption of the necessary measures for reaffirming the original arms of the State, and causing as thorough a reversal of past perversions of them as possible, we would recommend the passage of a law, which after reciting in its preamble such portion of the necessary reasons for its enactment as should be deemed essential, should contain as follows:

*First.* A section which should contain the full blazon or description of the arms of the State in heraldic language.

*Second.* A section providing for the engraving of a steel plate of six inches square conformed to this blazon, to be carefully preserved in the office of the Secretary of State, and to serve as a model for all future engravings, and to be accompanied with an engraved attestation of the Secretary of State at the bottom of the plate, that it is the standard presentation of the State arms. Official copies from this engraving should be addressed by the Secretary of State to all public offices and institutions in the State.

*Third.* A section requiring that in all offices under the control

and authority of the State, in the courts of justice, in the offices of the county clerks and the like, the arms of the State should be suspended in a conspicuous place in a frame, being copies of this engraving or paintings conformed to it. A moderate-sized painting of the arms on panel wood shall be provided for the walls of the executive chamber.

*Fourth.* A section requiring that the great seal of the State, the seals of the various departments and the seals of the courts shall be conformed to the device of arms described in the first section. The great seal shall be      inches in diameter, and the other seals shall be      inches in diameter. Each seal shall have around the edge the name of the department, court, board or office, and of the State of New York upon it. Regimental flags shall conform to the same device. Notarial seals need not contain more than the crest and motto with the name and place of the office. No pictorial representation shall be used on letter-heads and envelopes in the public offices other than the State arms.

*Fifth.* Persons acting under the authority of the State in printing and circulating public documents shall be prohibited from using any vignettes or prints of the arms upon them other than the standard arms, and shall not be allowed to combine with the arms fanciful additions of cannon, horns of plenty or other devices, on penalty of a fine.

*Sixth.* During the sessions of the Legislature, the State flag with the arms of the State of New York shall be hoisted upon the Capitol, together with the flag of the United States.

The commissioners are of the opinion that it will be necessary to request the engineer in charge of the Washington National Monument to efface the carving from the block of marble sent by the State to be placed in it, as not conformed to the arms of the State. As there are already blocks of marble at the monument from thirty-one of the United States, it will probably be deemed necessary ultimately to replace this stone with a fresh one, by an appropriation of money for the purpose.

It will also be necessary when the true arms have been reaffirmed by law, to replace those which are sculptured over the chimney fronts of the Assembly chamber of the new Capitol with correct representations; they were included in the erroneous pictures of the arms to which we have before referred. It is well to advert to the fact that the shield of the State arms as carved upon the desk of the President in the new Senate chamber is nearly conformed to the original device, including the river-bank.

The commissioners do not recommend that there should be any action at this session of the Legislature upon the proposed law. They believe that by the circulation of the present report in print during the coming year, and through an extensive knowledge of the measures suggested, there may be obtained an expression of opinion from those who have an intelligent interest in the subject. Additional information may also be obtained; as already since our appointment several facts of importance have been brought to light, that have

aided us in forming our conclusions. In restoring at the beginning of a new century of our national existence, the first and only arms of the State, we think it very desirable to be open and deliberate, so that we may not fail of securing the result aimed at, as has been the case in past legislation on the subject.

Our purpose in suggesting this delay is, further, to insure with greater certainty the bestowal of all honor and affection upon our symbol of the State sovereignty. We have pursued the investigation of the topics assigned to us with growing convictions of the importance and suitableness of perpetuating with correctness and without variation that device by which the State in her authority and honor is to be recognized, by her own people, by the people of the United States, and by the world. Every reasonable effort should be made that the citizens of the State who are proud of her position and history should also delight in her insignia.

The device of arms of this State is so perfect in its conception that our aim is mainly how we can best restore the original. We ought not to favor attempts to alter it for the better. It is characteristic of the geographical and commercial relations of the State, and symbolizes ideas which are in accordance with the loftiest patriotism. By the extensive exhibition of this beautiful emblem, not only upon our seals and military standards, but on our public buildings and on banners at our festivals, we display a most inspiring representation of the authority of the five millions of people of the State, operating through the law at the hands of its administrators.

The commissioners desire to add, that in their consideration of the topics submitted to them in these resolutions and in the preparation of this report, they have availed themselves of the researches and of the aid freely rendered by Mr. H. A. Homes, of the State Library, who has devoted much time to ascertain the historical facts, and to the study of the questions necessarily involved in establishing therefrom what are the genuine arms of the State of New York.

ALONZO B. CORNELL,  
JOSEPH B. CARR,  
J. W. WADSWORTH.

•

---

---

APPENDIX.

---

---

NOTE. — The drawing of the Arms on Plate IV is unsatisfactory in its outlines and expression, but conforms to the description of them as given by the Commissioners. In the absence of a more artistic representation of them, it has been necessary to print it. It is not a drawing of what has been definitely adopted, but a sketch of the essentials, which is offered for the purpose of receiving suggestions and criticisms previous to the enactment of a new law regarding the Arms.



LETTER OF H. A. HOMES, ADDRESSED TO THE  
COMMISSIONERS.

---

His Excellency, A. B. CORNELL,

*Chairman of the Commissioners on the correct Arms of the State :*

SIR — The resolutions under which the commissioners will make their report to the legislature, by their form limit the scope of the report. There are, however, some facts of history which throw further light upon the significance and meaning of the State arms, which, if they think proper, may well accompany their report in an appendix, so that they may be found in connection with it, for the more perfect elucidation of the subject.

Before adducing these facts, there is one observation of a general nature which I would be glad to make regarding the New York arms. It is worthy of notice that New York is one of the very few of the States whose constitution or laws makes any use of the word "arms," as referring to any State symbol.

I regard this fact as worthy of being made prominent if for no other reason than as affording an evidence of the superior culture of the leading minds in the convention. In the history of the successive States of the Union, the urgent motive for establishing arms for each State has chiefly been to be in possession of a device for the *seals* of the State. Indeed the State laws, as if mindless and regardless of arms, frequently merely require that there shall be a device for a seal ; and this seal subsequently becomes, in the usage of all, the arms of the State ; the laws nowhere making any mention of its having any arms. On the first organization of a State or Territory, the officers of its departments and courts solicit of the legislature the means of legalizing their acts by a seal ; and it immediately authorizes its chief officer or officers to devise such a seal. Availing themselves of such resources of wit, fancy and education as are at hand, a device is precipitated upon a State by the officers of that year, as a seal ; and it is this seal which, perhaps without the approval of the best minds in the State, stands through the successive years not only as the seal, but also as the State arms, and is used upon the State flag, and upon medals. In the popular apprehension it is less known as being the State seal than as being the State arms.

The language of the original motion in the New York convention on this subject, in 1777, confirms the general truth of what I have stated. The motion made was solely to appoint a committee

to devise a great seal. The action some months later, in September, appointing a second committee, specified nothing further than a seal. But when, in March, 1778, the law for the seal came to be enacted, its language was: "and whereas arms complete have been provided, and seals." Although there had been no requisition for arms from the committee, there were evidently some persons near the government who recognized the genuine necessities of the case for the rising State, and were influential enough to secure for the distinctive word "arms" a place in the law.

I now come to the more especial object of this letter. It is conceded that the mountains, meadow and water, with the ships, on the shield of the arms, typify the Hudson river. But what probable motive can be assigned for introducing a full sun into the arms? The facts of history which I bring forward to explain this motive, although they may be said to be well known, yet, so far as I know, they have never heretofore been made use of to give significance to the New York arms. Yet I think that, from the time that the sun in the shield shall be regarded in the light of these new relations, it will not be possible to contemplate it in any other light, for they will be so consonant with historical facts, that the emblem will acquire an unwonted force and expression in our minds.

I think then, that there is abundant evidence that the introduction of the full sun was first suggested to the committee from well-known facts in English history—from events commencing in the life of Edward IV. The sun had first been adopted as a badge or cognizance of Edward, Duke of York, who afterwards became Edward IV. It was regarded as an omen of prosperity and success.

The story of the occasion which led to its adoption is related in six or seven of the early chronicles of England. Some of them have only been printed from ancient manuscripts by the Camden Society within a very few years. The fullest accounts of the matter are to be found in Hall's and Holinshed's Chronicles. The event took place toward the close of the wars between the White and Red Roses—between the houses of York and Lancaster—and resulted in establishing the dynasty in the line of the family of York. A very successful and decisive battle was fought by Edward in the edge of Wales, February 2, 1461, called the "Battle of Mortimer's Cross." I will only quote Holinshed's account of the battle and of the prodigy which accompanied it.

"But when he was setting forward, newes was brought to him, that Jasper, Earl of Pembroke, half brother to King Henrie, and James Butler, Earl of Ormund and Wiltshire had assembled a great number of Welsh and Irish people to take him; he herewith quickened, retired back, and met with his enemies on a fair plaine near to Mortimer's cross, not far from Hereford east, on Candlemas daie in the morning. At which time the sunne (as some write) appeared to the earl of March like three suns, and suddenlie joined altogether in one. Upon which sight he took such courage, that he,

fiereclie setting on his enemies, put them to flight; and for this cause men imagined, that he gave the sun in his fulle brightnesse for his badge or cognizance." I, 660.

Wm. Habington published the life of Edward IV, in 1640, 180 years after the battle of 1461, at the express desire of Charles I, who had been Duke of York. Only two Dukes of York had intervened between his possession of the title, and Edward IV, 140 years previously. He dissenes this phenomenon of the sun in the following language: "Before the fight, the sun (as by many authors it is asserted) appeared to the earl in the resemblance of three suns and suddenly united in one. The truth of which I will not dispute . . . Yet how this omen could be expounded happy to his designs I understand not, unless we seek the interpretation from the event; for that indeed gave him the victory and brought the glory of the two adverse generals (Pembroke and Ormonde) to his side; so that the three suns which with equal brightness appeared in the morning before evening shined alone in him. For the two earls and their whole army were put to flight with the slaughter of 3800 men on the place." (Kennett's England, L., 1706.)

It was this phenomenon, which was probably a genuine mirage, and which was so well accredited in the minds of the people of the day, which led Edward IV to adopt a sun in splendor as his badge.

It was placed upon the housings of the saddles, and upon his banners. The gold coin of his reign called the rose noble and the rial and half rial had the sun stamped upon them. I do not find that the sun had previously to this been stamped upon any of the coin of the realm of England. It was also used in his reign and in his reign only as a mint mark. Writers on the history of the coins of England, Fleetwood, Leake, Ruding and Akerman agree in ascribing this origin to the sun upon the gold noble. If the sun was not uniformly perpetuated afterward on the arms of the kings or on the coin of the kingdom, the explanation is found in the language used by Dallaway in his *Heraldry*: "A cognizance is but temporary in a family; it does not descend like the arms, and so it never became a perpetual badge of the succeeding members of the dynasty of England." And for the same reason, Guillim does not give the sun in his picture of the arms of the Dukes of York.

After the gold coin of Edward IV, the first coin upon which we find the sun was one of the reign of Mary, and next upon the gold coin of Queen Elizabeth. James I had it placed upon the sovereign. In all these cases it was upon the reverse of the coin, and the suns were all of the same type. The sun was only pictured upon the gold coin of the realm. We will speak later of the use of the sun by James II.

It was of this sun of the Duke of York that the members of the committee of the New York convention on the arms would have been reminded when they dwelt upon passages relating to it which Shakespeare has woven into two of his historical plays. I will here quote a portion of the scene from the third part of *Henry VI*, be-

tween Edward, who became King, and Richard the second Duke of York. In the margin we read : "A plain near Mortimer's Cross in Herefordshire." The Duke Richard addresses Edward :

*Richard* — See how the morning opes her golden gates,  
And takes her farewell of the glorious sun ;  
How well resembles it the prime of youth,  
Trimmed like a younker prancing to his love !

*Edward* — Dazzle mine eyes, or do I see three suns ?

*Richard* — Three glorious suns, each one a perfect sun ;  
Not separated with the racking clouds  
But severed in a pale clear shining sky.  
See ! See ! they join, embrace and seem to kiss,  
As if they vowed some league inviolable.  
Now are they but one lamp, one light, one sun ;  
In this the heavens prefigure some event.

*Edward* — 'Tis wondrous strange, the like yet never heard of.  
I think it cites us brothers to the field  
That we the sons of brave Plantagenet,  
Each one already blazing by our meeds,  
Should notwithstanding join our lights together,  
And overshine the earth, as this the world !

A few years later in English history, Shakespeare makes Richard III, then Duke of Gloster, break out in triumphant soliloquy in the first words of the play with that title :

*Gloster* — Now is the winter of our discontent  
Made glorious summer by this sun of York ;  
And all the clouds that lower'd upon our house,  
In the deep bosom of the ocean buried.

I will quote no more than this allusion to the badge of the new King Edward IV from this soliloquy.

But it will be inquired why, readily granting that our New York legislators were familiar with Shakespeare, and familiar with this Yorkist legend, why it should in consequence be surmised that they meant to put into the shield of our arms a Yorkist sun ?

I will not attempt to discuss the question asked at length. But in the first place I must say, that negatively I regard the adoption of a sun, full like this one, as the adoption of so uncommon an emblem, that I cannot help inferring that the New York convention had some extraordinary reason for adopting it. The story of the three suns becoming one, unconnected with subsequent history, we easily and naturally let pass as an idle legend. But when we find that monuments were established in memory of the alleged occurrence, it acquires a new importance, and has taken its place in history. Affirmatively, I think that this historic Yorkist sun may be claimed to be the sun in the arms of New York, for a first reason that it is more like a Yorkist sun than any I have ever seen. On the coin or rose noble of Edward IV it is a full sun ; on the seal of the State of New York of 1777, it shows more than eleven-twelfths of the sun — all that was possible to introduce compatible with introducing the other objects in the shield. A sun is an uncommon emblem in any arms as compared with the numerousness of other emblems. Among states and nations of previous date, I only find it used by Persia.



It is also on the patriotic banner of Ireland, called "Fingal's" and is named the "sun-burst," having been upon the standard of her hero Bryan Boroihme, when he won the decisive victory against the Danes, in the year 1014, at Clontarf.

On the St. Paul's chapel picture of the New York arms, we find less than half the body of the sun is represented, but that is the latest and least valuable witness of our three early specimens of the arms. It is on the wax seal of New York of 1777 that the large proportion of the sun exposed shows most conspicuously.

My second reason for thinking that it is not a mere coincidence that the sun of the New York arms resembles the sun of the York family is the following: James II, formerly Duke of York, when he had been on the throne for two years, on account of complaints from Governor Dongan, in 1685, of irregularities in the use of seals in the province of New York, sent over the sea, by special command, on August 14, 1687, a new seal, with a sun upon it, which was to be used in the place of all other seals. It reached New York November 19, while Governor Dongan was in Albany. It is thus described by the king's minister, the Earl of Sunderland, in the document containing the warrant for its use in the province. "The obverse has on the one side the effigies of the king on horseback in arms, over a landscape of land and sea, with a rising sun." It will be asked if this was a Yorkist sun? Unfortunately it is not known that there is a copy of this seal in existence. The secretary calls it a rising sun, but it could not well have been less than a Yorkist sun, for that too was a rising sun according to the legend, though all above the horizon.

James the Second had been at his birth declared Duke of York, by Charles I, and ten years after he received the patent of Duke of York; he had read Habington's history of Edward IV; he was learned and a pedant; he had been declared proprietor of New York in 1664.

He gives to it in the place of its old name of New Netherland, the name of its new proprietor. Although the sun had ceased to be used upon the coin of the kingdom for many years, he revives the use of it by placing it upon the new seal of his province, named after him. Can any other supposition be fairly made than that while he did not place there the insignia or arms of his own family, yet that he placed there as emblematic of the name of New York, the cognizance of the family of York?

The mind of James II was full of the thought of perpetuating the name of his family title in the new world, and in his proprietary province. He, being Duke of York and Albany, calls the chief city as well as the province by the same name of New York instead of New Amsterdam or New Netherland. Fort Orange becomes Albany, Long Island is called Yorkshire, and the region of the Shawangunk Mountains, receives the name of Albania.

It is very likely that no document exists anywhere with this seal attached to it; the seal itself was broken up in public and no impression of it is known to exist anywhere. But it is very easy to

account for this fact. In less than a year from the date of its reception, in Aug., 1688, Gov. General Andros defaced this "almost virgin seal" by the order of James II, and its place was supplied by the seal of the *new* "New England," (which name was made to cover all the British possessions north of latitude 40°) and of which he had been made governor-general. With the English revolution of 1688, the next year, all chance of again using the York seal of the sun as an emblem of New York, ceased with the expulsion of James II, and the commencement of the reign of William of Orange, or it might have remained in use on coins and on our seal until 1776.

An impression of this seal of New England, which was the only seal in use in New York, from August, 1688, to April, 1689, it may not be inappropriate to observe here, should be included in the collection of the seals of the State in the New York Civil List. No copy of the impression was known to exist at the time of publishing the Documentary History of the State, in 1850-51. One was presented to the New York Historical Society in 1862, being attached to the patent creating Joseph Dudley, first chief justice of New York. (*Allard's Sutton-Dudleys of England*, Bost., 1862.) It should be brought into its proper relations with the seals of the State, as one of the series, in use for a period of seven months.

The seal has one peculiar additional item of interest, in that it is the first of that series of seals of the State which continued to be in use through a period of eighty-eight years, from the year 1688 to the year 1776, having on one side an Indian kneeling before the figure of the sovereign of the day, king or queen, and offering gifts. This first seal differs from all the remainder of the series in having the figure of an Englishman, as colonist, teacher or missionary, kneeling by the side of the Indian. If the figure is that of a teacher, it may explain the selection of the motto from Claudian which is on the seal.

I have given reasons for believing that the members of the committee of the convention must have been well acquainted with the Yorkist badge from history and Shakespeare. I might add that the notices of this badge of the sun are frequent in English literature. I have before me extracts from Drayton's poems, from his *Polyolbion* and from his *Miseries of Queen Margaret*, repeating the story of the three suns. Drayton was a contemporary of Shakespeare. In the 22d song of the *Polyolbion* he distinctly affirms what was the phenomenon which induced Edward IV to choose the sun for his badge. I will not quote more than that portion of the song which contains this affirmation.

"When this most warlike duke, in honour of that sign,  
Which of his good success so rightly did divine,  
And thankful to high heaven, which of his cause had care,  
Three suns for his device still in his ensign bare."

Hume refers the defeat of the Earl of Warwick by Edward IV to an accident which led the Lancastrians to mistake the star of the

Earl of Oxford for the king's badge of the sun, and to drive a portion of their own forces from the field. Bulwer-Lytton, in his novel of "The Last of the Barons," referring to the same event, says: "The housings of his steed were spangled with silver suns, for the silver sun was the cognizance of all his banners." Hardy, in his new novel of "The Laodiceans," now publishing, describing a walk in the church of Stancy Castle, and the tombs of the knights upon the floor of the ancient church, with their effigies sculptured upon them, thus writes: "Some of them wearing around their necks the Yorkist collar of suns and roses, the livery of Edward the Fourth." But I need not give other extracts from English writers to illustrate the prominence which the cognizance of the sun has had in the history of the family of York.

I desire not to tax your attention too much; but I beg your indulgence while I add a few sentences suggested by the character of the supporters of the arms of New York. In a paper published by me in 1880, I have written somewhat at length regarding them and the men who devised these emblematic figures, and I do not propose to repeat any thing already found therein.

The only additional remark which I have to make upon the figure of Liberty is that the color of the liberty-cap, upon the pole in her hand, is not red upon any one of the three early specimens of the arms which the honorable commissioners have studied. It has been designated by some as a Phrygian cap, the color of which is historically represented as red. Our arms were devised long before the French revolution of 1793; and even if the color of the cap had been red, there was nothing in the principles of a government for the people, which they were devising, to suggest to them a destructive spirit, or any symbol of a like spirit.

The emblem of Justice on our arms does not represent Themis or Jurisprudence, into which it has been changed in the letter-heads in most frequent use in the departments at Albany, but represents, as near as may be, the Greek goddess Astræa. It was from this figure of the goddess, as a beautiful virgin, was derived also the Justice which originally formed the seal of the Supreme Court of the State of New York down to the year 1846. With the change resulting from the new organization of the courts, by which the seal of the county where the court is held is impressed upon such documents as require a seal, that seal is no longer in use.

A learned member of the bar has kindly suggested to me that it was worthy of mention that the symbol of justice, as here presented, harmonizes also with the Bible and with Shakespeare. With the Bible as in Job, "Let him weigh me in the balance of justice"; and with Shakespeare, who speaks of "The Sword of Justice," and of learning to "Poise the course of justice in equal scales, whose beam stands sure, whose rightful cause prevails."

Henry IV is made to address the Lord Chief Justice thus

"Therefore, still bear the balance and the sword....

The unstained sword that you have use'd to bear."

2 HENRY IV, 5:2.



Why should such symbols of the god-like principles of single-mindedness, impartiality and retribution be allowed to disappear from the figure of Justice and from our arms?

Now, looking over a collection of the arms of the original thirteen States, it will be observed that no one of them adopted for their arms as supporters, emblems so suggestive of lofty principle and purpose as did the State of New York, and indeed the arms of most of them have no supporters at all. Although Virginia has a Liberty it is not as a supporter, but as an avenger of tyranny; New Jersey has Ceres with Liberty as supporters, but the other States have nothing of the one kind or another, suggestive of virtues or duties. Whence arose the eminent distinction of New York in this feature of her arms? In the first paper I spoke of the three men on the committee, Jay, Morris and Hobart as judges on the bench; we have now to add to their number a fourth, also a judge, Chancellor Livingston, and a fifth, George Clinton, a member of the bar, the first governor of the State and for the longest period of any one of them. In the absence as yet of detailed written records of the history of the origin of our arms, it is but reasonable to give due credit to those four dispensers of justice, as having been led, both by their education, professions and character, to exhibit the virtue of Justice as one of the pillars of the State along with Liberty.

It should serve to enhance the respect with which the arms of the State should ever be regarded, to dwell upon the character of these men, thus eminent in position in the State, with whose names we must hereafter always unavoidably associate this device. Of Clinton and Livingston, the two new members of the commission, I do not need to say a word more than that theirs are the two statues of her citizens which were selected by New York to adorn the national Walhalla at Washington. But it is worth mentioning that four of these five men named on these committees were graduates of American colleges. Jay graduated from Columbia, in 1764; Morris from Yale, in 1746; Hobart from Yale, in 1757; and Livingston from Columbia, in 1765. It is not a fact that should surprise us that the influences of a liberal culture should appear in the determination of such men regarding the symbols of the new State, even if they did not personally originate them. And it is worth remembering that the acted drama had been introduced in New York since 1753, and the plays of Shakspeare were repeated on the boards of the theater.

The liberal education which these members of the committees of the convention had received testifies that they were men of as high culture as any to be found in the thirteen colonies. This, with their personal history, gives us the assurance that they were either thoroughly competent themselves to devise arms for the State with the symbolical perfection and heraldic completeness which we find in our arms to-day; or to influence and approve of the adoption of such rich insignia if prepared for them by another person under their direction. In their numerous traits they surpass in beauty



and dignity any thing which had been devised for any of the colonies up to that time. And they do, therefore, in every aspect in which we may regard them, rightfully claim our highest respect.

The arms which these fathers of the State have left us as their legacy bring us on the one hand into the direct use of a symbol which for now nearly four hundred years, when found in its appropriate place, has suggested to the mind of the beholder the interests which belong to the name of York. With the difference that the symbol of the Highlands and the Hudson being conjoined in the same shield with that of the sun, the sight now suggests to us the interests and sympathies of the people of the whole State of *New York*. If there be any one who has any doubts about the significance and grand expressiveness for this State of that portion of the device of the arms which represents the great geographical feature of the State, the chasm of the Hudson river, let him familiarize himself with the eloquent descriptions of the marvelous geographical position of New York in the Union as given repeatedly by Hon. Horatio Seymour in his discourses touching upon the subject, and his doubts will disappear.

The briefest summary of the meaning of our arms is, that the shield symbolizes in the full sun the name and idea of Old York and the old world; the mountains, river and meadow, with the ships, convey the name and idea of the New York of the new world. This New York is supported by Justice and Liberty, and discards monarchy. By exhibiting the eastern and western continents on a globe, the old and new are brought together, while the eagle of the crest proclaims, "Westward the course of empire takes its way."

The process of retracing our steps to where the State started from in 1777 may seem needlessly tedious; it has, however, taken several of the States more than three years to render complete their remedial legislation in the same circumstances; and if the plans of the commissioners are communicated to the people for discussion before attempting any legal enactment, the result will probably be such measures as will secure a fixedness and unchangeableness in the representation of the arms wherever used in the State.

I have the honor to be, very respectfully, your most obedient servant,

HENRY A. HOMES.

STATE LIBRARY, ALBANY, *April*, 1881.



Plate 1.



ARMS OF THE STATE OF NEW YORK:.

EAC SIMILE

of the Initial T, engraved on

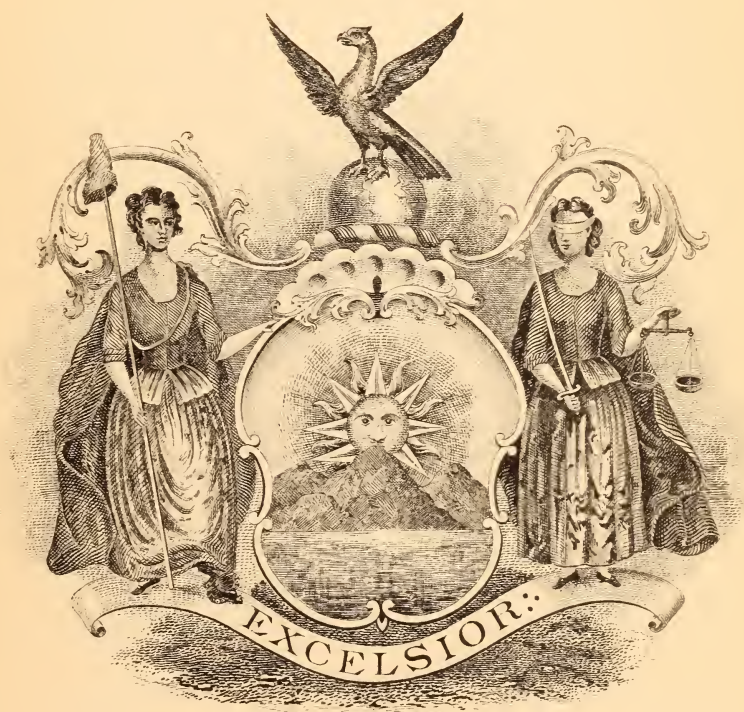
A NEW YORK MILITARY COMMISSION

from Gov. G. Clinton,

of June 25, 1778.



Plate 2.



FAC SIMILE  
OF A NEW YORK REGIMENTAL FLAG  
OF 1778.





Plate 3.



FAC SIMILE OF THE ARMS  
FROM THE PAINTING IN ST PAUL'S CHAPEL.  
N.Y. CITY, 1785.

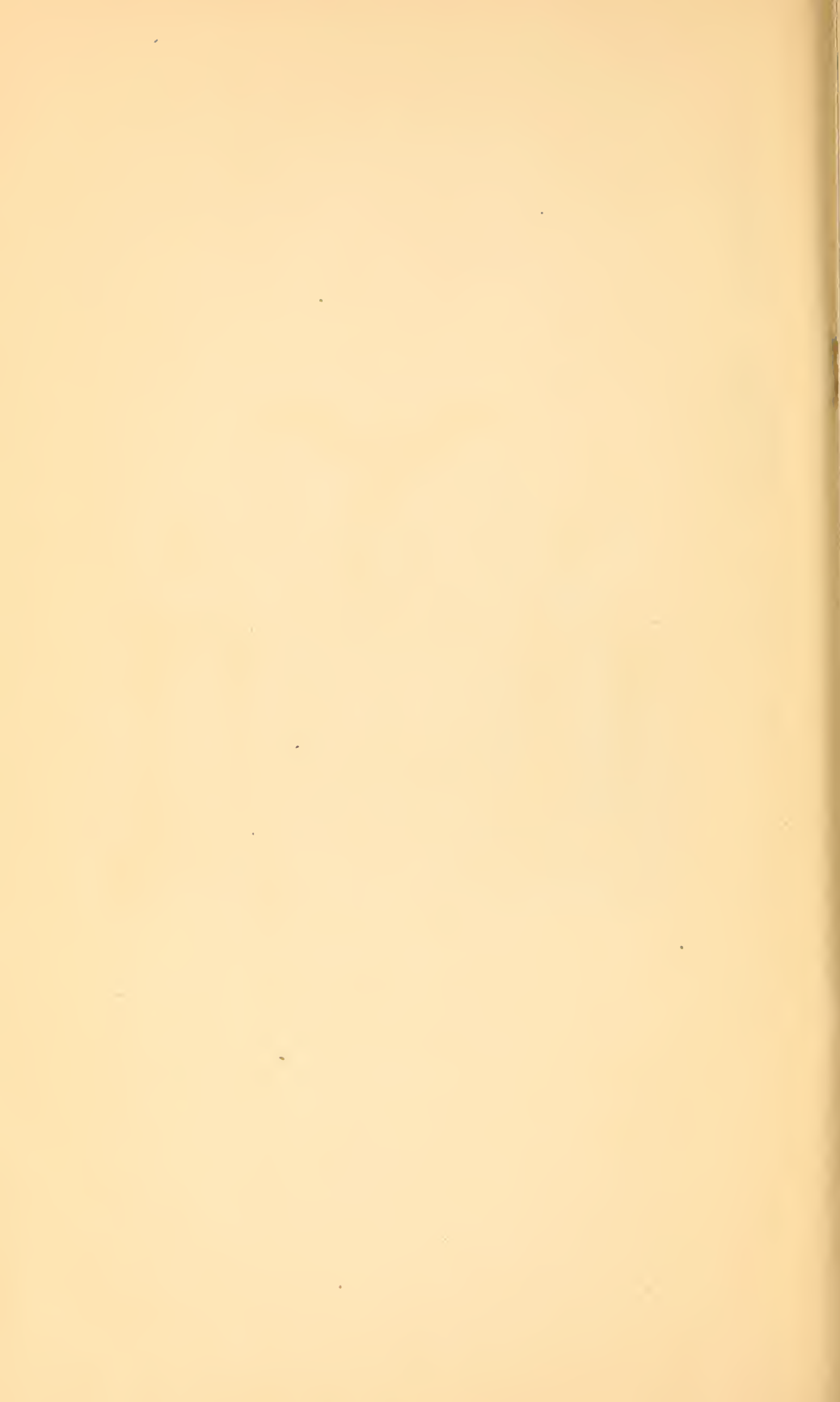
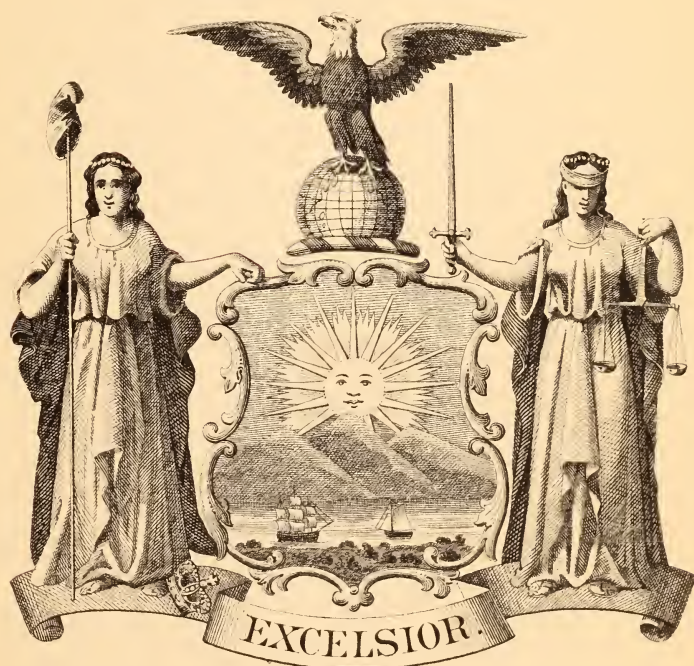




Plate 4.



SKETCH OF THE ARMS  
AS RESTORED FOR THE ACTION OF THE  
LEGISLATURE.





